BOARD OF ADJUSTMENT

Zoning Administration Division Planning and Development Services Department (PDSD) 201 North Stone Avenue, Tucson, Arizona 85701

*** NOTICE OF DECISION ***

DATE OF PUBLIC HEARING July 24, 2019

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J) & (K).

ACTIVITY NO. T19SA00240

CASE NO.

THE APPLICANT

C10-19-12 EL RIO SOLAR CANOPIES / EL RIO SANTA CRUZ NEIGHBORHOOD HEALTH CENTER INC / 6950 EAST GOLF LINKS ROAD, C-1, C-2 AND O-3

The applicant's property is an approximately 3.34 acre site zoned C-1, C-2 and O-3 and is developed with a community health center. The applicant is proposing to construct solar canopies over existing parking spaces on the west and south side of the development. Tucson *Unified Development Code (UDC)* sections applicable to this project include, in part, the following: Sections 4.7.15, .20 and .21 Office Zone (O-3) and Commercial Zone (C-1and C-2) and Table 4.8-3, and 4 Permitted Uses – Office Zones, Commercial and Mixed Use Zones, which provides the use criteria in the O-3, C-1 and C-2 zones; and Section 7.6 Landscaping and Screening, which provides the standards for the installation and maintenance of landscaping and screening. The applicant is requesting the following variance: 1) Delete the requirement to provide one canopy tree per 33 linear feet of street landscape border along Langley Avenue which equates to 12 trees, all as shown on the submitted plans.

DECISION: VARIANCE 1 GRANTED, WITH THE FOLLOWING CONDITION:

A. The street landscape border along Golf Links Road shall be brought back to conformance with the minimum landscape requirements of the UDC standards.

IDECISION NOTE

By UDC regulation, a building permit or development approval based upon a Board of Adjustment decision cannot be issued, until a minimum of fourteen (14) days after the Board's decision date.

IMPORTANT NOTICE

FOR VARIANCES OR DESIGN DEVELOPMENT OPTIONS (DDO) GRANTED BY THE ACTIONS OF THIS BOARD: IF A BUILDING PERMIT IS REQUIRED FOR THE PROJECT ASSOCIATED WITH THE VARIANCE OR DDO, IT MUST BE SECURED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT (PDSD) WITHIN 180 DAYS OF THE HEARING DATE.

VARIANCE AND DDO APPROVALS EXPIRE WITHIN 180 CALENDAR DAYS FROM THE DATE OF THIS MEETING. TWO ADDITIONAL (180 DAY) EXTENSIONS MAY BE GRANTED PROVIDED THERE IS GOOD CAUSE AND THE REQUEST IS MADE IN WRITING.

<u>UNLESS OTHERWISE NOTED</u>, BOARD OF ADJUSTMENT DECISIONS BECOME EFFECTUATED UPON OBTAINING BUILDING PERMITS (IF REQUIRED) AND FULL COMPLIANCE WITH ALL CONDITIONS OF THE BOARD'S DECISION.

THE 180 DAY TIME FRAME TO OBTAIN A BUILDING PERMIT DOES NOT APPLY WHEN THERE IS AN OUTSTANDING ZONING VIOLATION THAT PRECIPITATED THE VARIANCE OR DDO REQUEST FOR THE PROPERTY. THE APPLICANT OR PROPERTY OWNER MUST CONTACT THE ENVIRONMENTAL SERVICES DEPARTMENT (ESD): CODE ENFORCEMENT DIVISION FOR THE DATE THE ZONING VIOLATION MUST BE ABATED.

If you want further information, please email Mark Castro at DSD Zoning Administration@tucsonaz.gov or call 520-791-5550

Sue Montes, Secretary Board of Adjustment

s: zoning administration/ba/decision/1912